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GOVERNOR

STATE OF MAINE
MAINE DEPARTMENT OF AGRICULTURE, FOOD & RURAL RESOURCES
BOARD OF PESTICIDES CONTROL
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COMMISSIONER
HENRY S. JENNINGS.
ACTING DIRECTOR

BOARD OF PESTICIDES CONTROL

October 13, 2006

Pine Tree Arboretum Viles Conference Room
Route 9, Hospital Street, Augusta
(Across from the AMHI Complex)

AGENDA

9:30 A.M.

1. Introductions of Board and Staff
2. Minutes of the September 15, 2006 Board Meeting

Action Needed: Amend and/or Approve

Presentation By: Henry Jennings
Acting Director

3. Review of Draft Browntail Moth Report to Legislature

Public Law 2006, Chapter 553 required the Board to conduct a monitoring program of spraying performed near marine waters. It also directed the Board to complete an assessment of the risks and benefits of controlling the browntail moth and report its findings and recommendations to the legislature by January 2, 2007. In response, the Board's staff worked with members of the Environmental Risk Advisory Committee (ERAC) to plan and conduct a monitoring program in late May of 2006. In addition, the Board held a public information gathering meeting in Freeport on July 21, 2006. Four people testified and eleven submitted written comments. On September 13, 2006, Diane Cowan of the Lobster Conservancy presented lobster molting data to the ERAC. At that meeting, the ERAC also reviewed the monitoring results and crafted some proposed revisions to the current legislative restrictions. The staff utilized that information to prepare a draft report to the Legislature for Board review.

Presentation By: Henry Jennings
Acting Director

Action Needed: Provide Input to Staff on Draft Report

4. Review of Additional Housekeeping Amendments to the Board's Rules

The Board has reviewed a number of proposed rules amendments over the last two monthly meetings and plans to combine several minor changes in one rulemaking proceeding. The staff will present a few more proposed minor amendments for the Board to consider for inclusion with the upcoming rulemaking effort.

Presentation By: Henry Jennings
Acting Director

Action Needed: Review/Revise Minor Amendments and Determine Whether to Include Them

5. Continued Discussion about Forming a Stakeholders Committee to Address Aerial Application Issues

At its July 21, 2006 meeting, the Board reviewed its prioritized list of discretionary tasks arising from its planning session in which aerial application issues ranked as the top priority. Consequently, the Board directed the staff to develop two committees to work on the issues: a technical committee to review recent research and a stakeholders committee to develop recommended changes. Composition of the technical committee was determined at the September 15 meeting. The staff will seek additional Board input on development of the stakeholders committee.

Presentation By: Henry Jennings
Acting Director

Action Needed: Provide Guidance on the Composition and Charge of the Stakeholders Committee

6. Review of Draft Best Management Practices (BMPs) for the Application of Turf Pesticides and Fertilizers

At the July 25, 2005 meeting, the staff presented information on pesticide use by lawn care companies during an exceptionally wet period in May. Consequently, members directed the staff to seek volunteers to serve on a stakeholder committee to develop turf care best management practices to protect water resources. The Board reviewed a list of individuals who expressed an interest in participating on a committee at the February 24, 2006 meeting and directed Fish, Simonds and Jemison to choose the membership and convene the stakeholders committee. The committee met three times and produced a set of draft BMPs for review by the Board.

Presentation By: Gary Fish
Certification Specialist

Action Needed: Amend and/or Accept the BMPs

7. Review of Draft Browntail Moth Spray Monitoring Report

Public Law 2006, Chapter 553 required the Board to conduct a monitoring program of spraying conducted near marine waters. The staff met with members of the ERAC and the laboratory on April 12 to plan the monitoring program. Monitoring was conducted on four separate sites in late May. The staff is seeking Board input on a draft report of that monitoring effort which will become an attachment to the legislative report.

Presentation By: Heather Jackson
Water Quality Specialist

Action Needed: Amend/Accept the Report

8. Other Old or New Business

- a. Yardscaping Update – G. Fish
- b. Technical Committee Update – H. Jennings

9. Schedule and Location of Future Meetings

November 17 and December 15, 2006 are the tentative dates for the next Board Meetings

Additional Dates:

10. Adjourn

NOTE: The Board Meeting Agenda and most supporting documents are posted one week before the meeting on the Board website at www.thinkfirstspraylast.org.

NOTE: Any person wishing to receive notices and agendas for meetings of either the Medical or Environmental Risk Advisory Committees must submit a request in writing to the Board's office. Any person with technical expertise who would like to volunteer for service on either committee is invited to submit their resume for future consideration.

NOTE: On March 27, 1998, the Board adopted the following policy on accepting written comments:

For regular business meetings, the staff will continue to reproduce letters and short reports delivered to the Augusta office prior to the day of the meeting. Persons sending faxes or electronic submissions should call to verify that their document was received in its entirety and in legible condition. Persons should also be aware that lengthy documents will have to be sent to the State's Central Printing Office which may require up to a three day lead time to get them back. If time is short, those people will be advised to make their own copies. At a minimum, fourteen copies are recommended so as to include the Board, the Assistant Attorney General, the Director, another staff member responsible for the topic, one for the person requesting the agenda article, and three extras for press and other interested parties.